

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the concurrently filed Terminal Disclaimer are respectfully requested.

Claims 1, 4-18, 20-22 and 25-53 are pending in the application, with Claims 1, 38 and 50 being the only independent claim.

Applicants thank the Examiner for the indication that Claims 4-18, 20-22, 25-37, 39-49 and 51-53 recite allowable subject matter. In view of the concurrently submitted Terminal Disclaimer, Applicants have not amended these claims into independent form.

Claims 1, 38 and 50 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over Claim 1 of U.S. Patent No. 6,676,254 B2 (Nagashima et al.) in view of U.S. Patent No. 6,302,530 (Shimada et al.). Claims 1, 38 and 50 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 1 of Nagashima et al. in view of U.S. Patent No. 5,953,031 (Omata et al.). Without conceding the propriety of the rejections, and solely to expedite issuance, Applicants are submitting herewith a Terminal Disclaimer. Applicants submit that the filing of the Terminal Disclaimer obviates the double patenting rejections.

Reconsideration and withdrawal of the double patenting rejections are requested.

Applicants submit that the instant application is in condition for allowance. Favorable reconsideration and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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